

INDIANA GROUND WATER TASK FORCE

Report to the Governor and General Assembly

December 15, 2005

The Honorable Mitchell E. Daniels, Jr.
Governor, State of Indiana

The Honorable Members of the
Indiana General Assembly

Re: Indiana Ground Water Task Force

In 1989, the Indiana General Assembly passed a comprehensive Ground Water Protection Act (IC 13-7-26) to manage Indiana's vital ground water resource. This legislation provided the authority for the establishment of programs and activities to facilitate the implementation of Indiana's Ground Water Protection and Management Strategy, which was adopted in 1987. This strategy provided a set of objectives and actions for coordinated approach to prevent, detect and correct current and future threats to Indiana's ground water quality and quantity, and to better understand and manage the resource. A provision of the Ground Water Protection Act was the establishment of a Ground Water Task Force to overview and facilitate the implementation of Indiana's Ground Water Protection and Management Strategy. The Ground Water Task Force was established, and we are asking your guidance as to its future.

The Ground Water Protection Act specifically charged the Ground Water Task Force to:

- Study ground water contamination,
- Coordinate efforts among agencies to address ground water pollution problems,
- Coordinate the implementation of the Indiana Ground Water Protection and Management Strategy, and
- Develop policies to prevent ground water pollution.

The Ground Water Task Force currently has eleven (11) members that include the heads of the five (5) State agencies that have significant ground water missions. The five (5) remaining members are appointed by the Governor. The State agencies are:

- Indiana Department of Environmental Management;
- Indiana Department of Natural Resources;
- Indiana State Department of Health;
- Office of the State Chemist;
- State Fire Marshal; and
- Indiana Geological Survey, ad hoc.

The members appointed by the Governor represent:

- The business community;
- Environmental community;

- Agricultural community;
- Labor; and
- Local government.

Since establishing the Ground Water Task Force, much has been accomplished. The Source Water Protection Program is in place as is the Indiana Wellhead Protection Program. In addition, the Ground Water Task Force has reviewed and commented on Indiana Ground Water Quality Standards. The Ground Water Task Force played a substantial role towards the final adoption of the Indiana Ground Water Quality Standards which were adopted on August 8, 2001.

As currently configured, the Ground Water Task Force does not engage the top officials of the agencies. Rather in recent years it has become more a periodic information exchange among mid-level representatives, not the decision makers. Changes have occurred since the inception. For example, the Fire Marshal's initial role in ground water protection has changed from charged with oversight of leaking underground storage tanks (LUST). This has changed. IDEM now has the LUST program, and the Fire Marshal is in a supporting tangential role. In addition, and an outcome of the Ground Water Task Force, key state governmental entities now meet regularly in bilateral exchanges concerning ground water quality. Current active issues include:

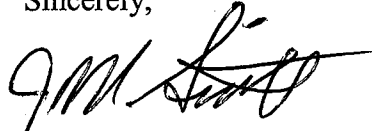
- Conflicts over water rights of ground water (which includes management and evaluation of Michigan basin water withdrawal issues);
- State initiative to properly close abandoned water wells;
- Assurance that the application of agricultural fertilizer is done in a manner to protect ground water; and
- Development of a consistent ground water remediation policy by IDEM.

Therefore, in 2005, it is time to review the composition and charge of the Ground Water Task Force to determine whether the mission applies today, and what is the most effective configuration of the Ground Water Task Force to achieve it. The following are our suggestions for your consideration and actions for the future of the Ground Water Task Force.

1. Recommend that the General Assembly abolish the Task Force;
2. Reconfigure the Task Force to be an annual ground water conference for information exchange about challenges and progress by State agencies in addressing ground water concerns; or
3. Recharge the Task Force either by the Governor or by the General Assembly with a specific mission and top level commitment to achieve the mission.

The Indiana Ground Water Task Force respectfully awaits your reply.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Smith", with a long horizontal flourish extending to the right.

Jeff Smith
Chairperson